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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/345,936	07/01/1999	DANIEL CHARLES SBISA	1261	1850

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EXAMINER

DEANE JR, WILLIAM J

ART UNIT	PAPER NUMBER
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2642

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DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/345,936

Applicant(s)

SBISA ET AL.

Examiner

William J Deane

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 – 6, 9 – 10, 15 – 29, 31, and 36 – 49 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,072,864 (Shtivelman et al.).

With respect to claims 1, 15, 22, 36, 43, Shtivelman et al. teach a telecommunications system comprising n SCP (note the SCP is contained in the network cloud 1000, see Col. 6, lines 20 – 22). Note that SCP receives a first message (Col. 6, lines 22 – 27). Note second message (Col. 6, lines 28 – 30). Note the third message and that the third message contains a speed dial number (Col. 7, lines 26 – 31) and the fourth message is described at Col. 7, lines 32 – 37).

With respect to claims 2 – 4, 6, 9, 23 – 25, 28 – 29 and 44 – 47, such would be inherent from the discussion above.

With respect to claims 5 and 26 – 27, note that the agent can conference the call (Col. 7, line 43).

With respect to claims 10 and 31, this is how an SCP works and that is what is going on in Shtivelman et al.

With respect to claims 16 – 18, 37 – 39 and 48 – 49, such claims are inherent. Almost all databases use pointers and data structures to translate information.

With respect to claims 19 – 21 and 40 – 42, such is inherent in speed dialing. In other words this is the definition of speed dialing. (See also Newton's Telecom

Dictionary by Harry Newton, 1998, enclosed for your information). As far as the use of an asterisk or octothorpe characters, it is noted that such are one-button characters.

Claims 11 – 14 and 33 – 35, are rejected under 35 U.S.C. 103(a) as being unpatentable over Shtivelman et al. in view of U.S. Patent No. 5,768,360 (Reynolds et al.).

Shtivelman et al. teach the claimed device as discussed supra. except for the call screening aspects of the claimed invention. However Reynolds et al. teach such call screening aspects. It should be noted that call screening is notoriously old in the art and uses notoriously old customer customized call-processing records (CPRs) contained in a SCP database to achieve the desired screening of calls. Note Col. 1, lines 52 – 59.

It would have been obvious to one of ordinary skill in the art to have provided the Shtivelman et al. device and method with such a call screening as taught by Reynolds et al. in order to have a more enhanced system.

With respect to claims 7 – 8 and 30 and 32, as best as can be determined, these claims would have been obvious to one of ordinary skill in the art as such claims are nothing more than duplicating the message processing as shown by Shtivelman et al.

Response to Arguments

Applicant's arguments filed September 3, 2002 have been fully considered but are not deemed persuasive to any error in the rejections above.

At page 4, last paragraph, applicants' argument is ambiguous. Either applicant argues that there is no SCP in the Shtivelman et al reference at all or that the SCP of Shtivelman is not configured to receive and process a message having a speed dial number to generate a message with call handling information.

With respect to an SCP, note Col. 2, lines 19 – 28 and Col. 6, lines 21 – 28. Also note Fig. 1, which the examiner clearly marked that the SCP is in Network Cloud 1000.

With respect to the SCP of Shtivelman et al. not being configured to receive and process a message having a speed dial number to generate a message with call handling information, see, as stated in the rejection above, Col. 7, lines 26 – 32. Note that this describes the 3rd message as marked in the margins by the examiner. Also note, Fig. 1 is marked showing that the third message is sent to the SCP. SCPs are used for obtaining handling instructions; this is what the Shtivelman et al. reference does.

Applicants' arguments that the present application does not use complex and expansive equipment as Shtivelman et al. such limitations are not found in the claims. Even if such limitations were found in the claims, these types of limitations would be considered irrelevant and of no patentable weight.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (703) 306-5838. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (703) 872-9314.

12 Nov 02


WILLIAM J. DEANE, JR.
PATENT EXAMINER